

FILED
IN CLERKS OFFICE
2014 DEC 12 PM 1 23

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)

v.)

DZHOKHAR A. TSARNAEV,
Defendant)U.S. DISTRICT COURT
DISTRICT OF MASS.
Crim. No.13-10200-GAOUNDER SEAL

**GOVERNMENT'S OPPOSITION TO DEFENDANT'S
MOTION FOR RECONSIDERATION OF HIS
RENEWED MOTION FOR HEARING TO ADDRESS "LEAKS"**

EXHIBIT B

After the government became aware of the Boston Magazine article, it contacted the FBI and all state and local law enforcement agents that it had reason to believe might have received copies of Matanov interview reports based on their involvement in the Matanov investigation. All of the agents contacted unequivocally denied having provided the reports to Boston Magazine or the article's author. Although numerous other law enforcement agents from a multitude of agencies could theoretically have obtained copies of the reports by accessing a particular FBI database, an investigation of that magnitude is -- in the government's view -- unwarranted under the circumstances.

The government has also made repeated phone calls to Edward Hayden, Esquire, who represented Matanov from the date of his initial appearance on May 30, 2014, until he withdrew from the case on November 20, 2014, to inquire whether Mr. Hayden made any interview reports available to Boston Magazine or court staff or otherwise knows how the article's author might have been able to obtain, copy, or even see them. The government has been unable to reach Mr. Hayden and, despite repeatedly having left messages, still has not heard back from him.

Finally, the government notes that on has complied with the court's November 24, 2014 order advising all relevant law enforcement agencies of the risks of sanctions, and reiterating the need for confidentiality and discouraging any comment by relevant authorities to the media.